



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

1:17-cr-00061-LAP

GARY TANNER and
ANDREW DAVENPORT,

Defendants.

ORDER

IT IS HEREBY ORDERED that:

(1) Pursuant to Fed. R. Evid. 502(d), Valeant Pharmaceuticals North America's ("Valeant") production of privileged or work-product protected documents, electronically stored information, communications, or information ("Privileged Material"), whether intentional, inadvertent, or otherwise, or any other disclosure of such materials, is not a waiver of the privilege or protection in this case or in any other federal or state proceeding, nor shall it constitute a basis for a subject matter waiver with respect to information related to such Privileged Material. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).

(2) This Order shall not preclude Valeant from objecting to the use of any Privileged Material during the forthcoming trial of Defendants Gary Tanner and Andrew Davenport (the "Trial"), though the use of any Privileged Material at the Trial shall not waive privilege in any other federal or state proceeding.

(3) The Court shall retain jurisdiction over any matter or dispute arising from or relating to the implementation of this Order.

(4) This order is not intended to cure prior waivers.

5/2/18

Loretta A. Preska